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Bar News - January 18, 2008

New Federal Judge Laplante Gets Right to Work

By: Dan Wise

When the Hon. Joseph N. Laplante takes the oath of office as US District Court Judge for the District of New Hampshire at a public ceremony on Friday, Feb. 1, he will already have been on the job for nearly a month.

Laplante, after finishing up cases he was working on as First Assistant US Attorney, was sworn in as a federal judge by Chief Judge Steven McAuliffe on Dec. 27, 2007. To accommodate colleagues, friends and family, a ceremonial swearing in is scheduled for 4 p.m. on Friday, Feb. 1 at the Warren Rudman US Courthouse in Concord.



Hon. Joseph Laplante

Speaking at the swearing-in will be US Senator Judd Gregg, Superior Court Associate Justice Gary Hicks, US Attorney Thomas Colantuono, NH Attorney General Kelly Ayotte, and attorney John Kacavas.

Laplante, 42 was nominated by President Bush last spring to fill the vacancy created by Judge Joseph A. DiClerico's decision to take senior status. On Dec. 14, the US Senate unanimously confirmed his nomination.

Laplante will be presiding over hearings, and reading up on the cases to which he is being assigned. He will travel to Richmond in the third week of January to attend a federal judicial training program. He expressed thanks to his new judicial colleagues for their efforts to smooth his transition from advocate to arbiter.

"I am very thankful to the other judges for reassigning me a suitable number of cases that provide a cross-section of cases the court handles," Laplante said. I am very appreciative of the efforts they are making to allow me to learn on the job."

A longtime prosecutor who worked for both the Attorney General's Office and the US Attorney's Office, Laplante acknowledged that he was going to miss the active role of an advocate.

"Yes, I will miss being an advocate – but my plate is very full immersing myself in learning the substantive law in many areas I have never encountered," he said.

By necessity, he will be immersing himself at first in civil litigation not involving the government. Due to his service as a federal prosecutor, he will be disqualified for a year from hearing any matter involving the US government as a party – criminal cases as well as some federal civil matters – and forever from any case that existed in the US Attorney's office at the time of his departure.

Laplante said he could not name a judge whose style he intends to emulate as he begins his tenure on the bench. "I have had many excellent lawyer mentors and have more emulated trial advocates than judges in my career-- the prospect of sitting on the bench was new to me, and a bit of a surprise," he added.

In a *Nashua Telegraph* article published shortly after his confirmation, educators and youth group leaders expressed concern that Laplante would no longer be able to participate actively as a leader or volunteer in athletic and other civic groups in the community. "He does an amazing amount of work for us: coaching football, writing grants and organizing golf events," Sarah Carey, director of the Nashua Police Athletic League & Youth Safe Haven, told the newspaper. "He's a big voice. People listen to him. It's bittersweet that he's becoming a judge because he'll have to cut back on his [volunteer] time." (*nhbar.org* is awaiting permission from the *Telegraph* to reprint the Dec. 26, 2007 article. We will

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In an interview with the *Bar News*, Laplante said he plans to continue his civic activities in his hometown, but he acknowledged his priority is with his new job. "I don't plan on terminating my civic activities in Nashua, but most importantly, I will be applying myself 100 percent to becoming a competent US District Court judge."

Laplante also signaled that he will continue to devote time to legal education and professionalism activities. "I plan to continue my involvement with the Bar Association, and resume my involvement with the Daniel Webster Inn of Court in Bedford."

Laplante earned his law degree from Georgetown University in 1990, and began in private practice at Wiggan & Nourie in Manchester, where Justice Hicks was a partner at the time. In 1993, Laplante joined the NH Attorney General's office and after five years, moved to the US Department of Justice, where he worked in a variety of assignments in Concord and Boston until his judicial appointment.

Laplante was active in the NHBA from the start of his career, including involvement and leadership of the New Lawyers' Committee and the Committee on Professionalism, and as a faculty member for numerous NHBA CLE programs. He also wrote for the *NH Bar Journal* and *Bar News*. In 2002, he was the recipient of the NH Bar Foundation's Robert E. Kirby Award, presented to a lawyer 35 years or younger, for excellent advocacy and professionalism. (Attorney General Ayotte and Kacavas are both fellow Kirby award-winners.)



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